

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**AMERICAN PRESIDENT
LINES, LTD., et al.,**

Plaintiffs,

v.

**Civil Action 2:17-cv-400
Chief Judge Edmund A. Sargus, Jr.
Magistrate Judge Jolson**

XPO INTERMODAL, INC.,

Defendant.

ORDER

Consistent with this Court May 10, 2017 Order, Plaintiffs have submitted the documents relevant to their Motion for Leave to Seal for *in camera* inspection. The Court has reviewed those documents bearing in mind that Plaintiffs are seeking to seal them consistent with Section 15 of the Amended and Restated Stacktrain Services Agreement. (Doc. 5 at 3). As this Court has observed, however, “[t]he public has a strong interest in obtaining the information contained in the court record.” *Shane Grp., Inc. v. Blue Cross Blue Shield of Mich.*, __ F.3d __, No. 15-1544, 2016 WL 3163073, at *3 (6th Cir. June 7, 2016) (quoting *Brown & Williamson Tobacco Corp. v. F.T.C.*, 710 F.2d 1165, 1180 (6th Cir. 1983)). Balancing the parties’ agreement against the “strong presumption in favor of openness” as to court records” *id.* (quoting *Brown & Williamson*, 710 F.2d at 1179), the Court finds that a temporary seal is appropriate.

Here, Plaintiffs filed a redacted version of its Motion to Compel Arbitration prior to being granted permission to do so by this Court. (See Doc. 3). Although the Court does not look favorably on that decision, the Court will allow the redacted document to stand in light of this

decision to allow a temporary seal. However, Plaintiffs' exhibits have not been filed publicly on the Court's docket. Hence, Plaintiffs are **DIRECTED** to file a public redacted version of the exhibits. In light of the foregoing, the Motion to Seal (Doc. 5) is **GRANTED** temporarily. Once defense counsel has entered an appearance in this case, counsel are **DIRECTED** to contact this Court to schedule a status conference concerning the scope and ongoing need for the seal.

IT IS SO ORDERED.

Date: May 11, 2017

/s/ Kimberly A. Jolson
KIMBERLY A. JOLSON
UNITED STATES MAGISTRATE JUDGE